IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO. 2985 OF 2005

Arun & Company ... Petitioner

V/s

The Municipal Corpn. of Gr. Mumbai & ors. ... Respondents

Mr. P.J. Thorat for the petitioner.

Mrs. A.R. Joshi for the respondent Corporation.

CORAM: P.V. KAKADE, J.

DATED: 14TH DEC., 2005

Mentioned. Not on board.

P.C.:

1. Heard advocate for the petitioner. Advocate for the respondents appears and waives service.

2. Rule. By consent Rule made returnable forthwith.

3. The petitioner will be permitted to file proposal for regularisation within a period of 16 weeks from today towards regularisation of the mexxanine floor in Unit No.13-D, Laxmi Industrial Estate, Andheri (W), Mumbai - 400 058, pursuant to the order bearing

No.KW/351/889/BF, dated 18.11.2005 passed by the respondent No.3.

4. The respondent No.4 shall accept the proposal for regularisation submitted by the petitioner.

5. The respondent No.4 shall consider the regularisation proposal submitted by the petitioner towards the regularisation of the mezzanine floor by giving opportunity to the petitioner to produce all relevant documents which are necessary for such regularisation.

6. In the event the proposal is not accepted by the respondent No.4, the respondent shall not take any action of demolition and/or removal of the mexxanine floor in respect of the aforesaid unit for a further period of six weeks from the date of communication of rejection of regularisation proposal in order to enable the petitioner to take appropriate remedy in accordance with law.

7. That the respondents shall not take any action of demolition and/or removal of any part of the mexxanine floor in respect of the aforesaid unit till the

respondent No.4 and/or any other concerned authority does not complete the procedure for regularisation as mentioned Clause Nos. 1 to 4 hereinabove.

8. In view of this position, the writ petition stands disposed of accordingly at this stage itself, with no order as to costs.

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